

How to Use the Environmental Diagnostic Testing and Monitoring Services Contract

Contract #: FAC60	Contract Duration: 07/01/2010 to 07/01/2013
MMARS #: FAC60*	Options to renew: No options available
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This contract contains: Small Business Purchasing Program (SBPP), Supplier Diversity Office SDO Contractors and Environmentally Preferable Products (EPP)	
Last change date: 01/17/2012	

Contract Summary

This is a statewide contract for environmental diagnostic testing and monitoring services covering ten service categories. Three of the contractors perform all ten categories of services ("full service contractors," categories E1-E10), and one contractor provides only analytical lab services ("lab services only contractor," category E10). The contractors are listed in Appendix A of this User Guide.

Service No.	Service Category
E1	Indoor Air Quality (IAQ) Testing
E2	Title V Septic System Inspection
E3	Asbestos Testing
E4	Soil, Water and Hazardous Material Characterization
E5	Lead Testing
E6	Underground Storage Tank Testing
E7	LSP Services
E8	Environmental Multi-media Auditing Services
E9	Stage II Compliance Certification
E10	Lab Services

Performance and payment time frames which exceed Contract duration

All agreements for services entered into during the duration of this Contract and whose performance and payment time frames extend beyond the duration of this Contract shall remain in effect for performance and payment purposes (limited to the time frame and services established per each written agreement). All such agreements shall be subject to the terms and conditions of this contract. No written agreement shall extend more than five (5) years beyond the final termination date of this Statewide Contract. No agreements for services may be executed after the Contract has expired.

Benefits and Cost Savings

- **Contractor Competition** – The contract provides access to a wide range of services and enables users to obtain quotes and negotiate competitive rates.
- **Bidder Qualification** – The Strategic Sourcing Services Team (SSST) reviewed each bidder's qualifications to provide services in the awarded categories. As a result, contract users are able to concentrate on the specific requirements of their projects and on negotiating the most competitive pricing.
- **Project Scope Flexibility** – This contract incorporates related environmental testing, assessment and consulting services which can be provided by the awarded contractors (or their subcontractors), which may not be specified in this Contract User Guide but fall into the general scope of this contract. The contract also allows for outright purchase of environmental monitoring equipment necessary to complete projects under this contract, especially in cases of long-term monitoring programs.

Who Can Use This Contract?

Applicable Procurement Law: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

Eligible Entities:

01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Eligible Entities and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

Pricing and Purchase Options

Purchase Options: The acquisition method for this contract is fee for service. The contract also allows for the outright purchase of environmental monitoring equipment when it is directly related to services performed under this contract.

Pricing and buying details: In Categories E1-E9, pricing is provided at an hourly rate. Analytical lab services in Category E10 are priced per sample. Each contractor's rates and any applicable mark-ups are posted under the Vendor Tab on Comm-PASS. These rate sheets also detail what charges are allowed and what charges are not allowed under this contract.

Quotes: In Categories E1-E9, Eligible Entities are required to seek competitive quotes from the three available contractors. When selecting a contractor for a specific project, in addition to price, Eligible Entities are allowed to incorporate into the decision-making process other factors, such as contractors' knowledge of the agency's specific conditions, reduced amount of training required for a specific contractor, etc. to obtain the best value. This determination, however, should always include the cost information received from multiple vendors. The awarded contractors may subcontract with other companies to perform some of these services.

In Category E10, the per-sample pricing for analytical services is firm. Contractor selection in this category depends on the scope of the services required:

- The three "full service contractors" will collect samples, analyze them (or submit them for analysis) and interpret the results in a report. Consequently, project cost will include not only the analytical rates, but also associated sample collection and consulting services. Eligible Entities are instructed to solicit quotes for each such project.
- The one "lab services only contractor" is made available for Eligible Entities who have the ability and personnel to collect and preserve their own samples and do not require a full-service environmental consulting company to interpret the results issued by a lab. In this case, quotes are not required and Eligible Entities may submit samples directly to the lab.

Developing Project Scopes: Eligible Entities may utilize a portion or all of the services listed in this RFR. Agencies may also utilize other related environmental testing, assessment and consulting services which can be provided by the awarded contractors (or their subcontractors), which may not be specified in this Contract User Guide but fall into the general scope of this contract. These services must be in compliance with all applicable laws and regulations and will be at the contractor's awarded hourly rates.

Eligible Entities may require contractors to provide detailed written reports of the findings, estimate costs for corrective actions and assist the Eligible Entity in negotiations to effect corrective action. Awarded contractors may be required to submit written field and progress reports for any site visit and inspection requested by the Eligible Entity; the Eligible Entity will specify the number of copies of the report required. Awarded contractors may also be required to attend meetings as deemed necessary by the Eligible Entity.

Response Time: Contractors are required to respond to telephone requests for services within 48 hours, whether or not the contractor will be able to perform the service requested at that time. Upon selection by the Eligible Entity, the contractor will be required to complete the task within five working days or in a time mutually agreed upon by the Eligible Entity and the contractor.

Payment of Prevailing Wages: Some of the services available under this contract may require the payment of prevailing wages pursuant to G.L. c. 149, Sections 26 through 27D (construction); Section 27F (trucks, vehicles and other equipment performing public works functions (non-construction); and 27H (state cleaning contracts). The Eligible Entity (or, for the purposes of the statute, "awarding authority") has a legal obligation to request a

prevailing wage schedule from the [Department of Labor Standards \(DLS\)](http://www.mass.gov/dols) at www.mass.gov/dols.

Any Eligible Public Entity that uses the contract will be considered the “awarding authority” and must request a prevailing wage schedule at the time of the engagement of the contractor for specific services or projects. In addition, contractors must agree to comply with the Prevailing Wage Law, as administered by the DLS.

Questions regarding the Prevailing Wage Law may be answered by accessing the [DLS Website](http://www.mass.gov/dols) at www.mass.gov/dols or by calling the DLS Prevailing Wage Program at (617) 626-6953.

Additional Information

Summary of Service Categories

Category E1 - Indoor Air Quality (IAQ) Testing:

Awarded contractors must offer the following professional electrical and heating, ventilation and air conditioning engineering services:

- Perform air quality services to evaluate and monitor key indoor air quality parameters or monitor and/or evaluate background levels of fundamental indoor air quality. Mandatory testing services for this category include: carbon monoxide, carbon dioxide and humidity. Tests for the following parameters are not mandatory but may be requested by the Eligible Entity: particulates, biological contaminants (e.g. mold, bacteria), Volatile Organic Compounds (VOCs), etc.
- Undertake both testing methods: real time/direct reading/grab samples (samples taken for period of 0 seconds to 15 min.) and time integrated monitoring (samples taken for period of 2 to 24 hours).
- Evaluate the adequacy of both general supply and exhaust mechanical ventilation systems.
- Determine volumetric air flow rates at vents and diffusers.
- Outline the methodology for the evaluation of the situation and outline all types of testing for determination of the problem.
- Provide detailed written reports of the findings, recommend and estimate costs for corrective actions and assist the Eligible Entity in negotiations to effect corrective action.
- Submit written field and progress reports for any site visit and inspection requested by the Eligible Entity and may be required to attend meetings as deemed necessary by the public agency.

Please Note: Awarded contractors cannot perform services where design fee is > \$10,000 and/or construction costs exceed \$100,000.

Category E2 - Title V Septic System Inspection:

Awarded contractors will inspect septic systems to conform to Title V (310 CMR 15.00) State Environmental Code. Inspection reports must be in accordance with the DEP approved System Inspection form. Additional services such as soil evaluations,

system design for upgrades and/or rehabilitation, with cost estimates may be needed to address water quality issues that come to light from testing and evaluations. Awarded contractors may be required to attend meetings as deemed necessary by the agency. **Please note: Repair work is not allowed under this contract.**

Category E3 - Asbestos Testing:

Awarded contractors will provide asbestos consulting/testing services, which may include, but will not be limited to:

- Perform air monitoring and testing and bulk material sampling;
- Provide services of the following classifications of workers: Asbestos Abatement Worker, Project Monitor, Asbestos Inspector, Asbestos Management Planner and Asbestos Project Designer as outlined in 453 CMR 6.0;
- Develop comprehensive or partial surveys and assessments of facilities;
- Prepare recommendations for asbestos removal and abatement (if any mechanical, etc. work is needed, Chap. 7 and Chap. 149 laws will apply);
- Provide comprehensive cost estimates for asbestos removal and abatement.

Contractors will report results, make recommendations and develop cost estimates for addressing any environmental quality issues that come to light from testing and evaluations. Contractors may be required to attend meetings as deemed necessary by the public agency.

Please note: Firms that perform these diagnostic services may not perform the recommended corrective actions, according to 453 CMR 6.00.

Category E4 - Soil, Water and Hazardous Material Characterization:

The contractors for soil, water and hazardous material characterization are required to:

- Possess analytical capability to determine contaminants present in soil, water or other materials;
- Perform stormwater, wastewater and drinking water sampling and analysis; and conduct discharge evaluations for water associated with public property and buildings throughout the State;
- Provide hazardous waste-related services including material, sample collection and assessments;
- Carry out a site reconnaissance to observe evidence of hazardous material;
- Prepare all necessary notices for local, state and federal agencies where appropriate and maintain liaison;
- Perform a limited number of shallow test borings and split spoon sampling to determine the extent of the contamination;
- Survey well head elevations and measure depths to ground water to evaluate ground water flow direction;
- Perform soil testing for volatile organic compounds;
- Collect ground water sample from monitoring wells and surface water bodies on sites and screen it for petroleum hydrocarbons;

- Prepare a final written report containing observations and conclusions relating to the environmental condition at the site. If appropriate, the report shall include an opinion with regard to the presence of hazardous material and shall define the limitation regarding this opinion;
- Attend meetings as deemed necessary by the public agency.

Category E5 - Lead Testing:

Awarded contractors will test facilities for lead and record all lead hazards. Contractors will recommend actions that should be taken to remove or cover all lead. Contractors may be asked to recommend the actions that should be taken and apply for temporary or interim control. All Awarded contractors in this service category must be lead inspectors licensed by the Massachusetts Department of Public Health, Childhood Lead Poisoning Prevention Program. Personnel must be American Industrial Hygiene Association-certified. Awarded contractors must also be affiliated with an American Board of Industrial Hygiene-accredited lab. It is anticipated that lead testing will incorporate XRF methods, however awarded contractors should also be able to analyze TCP of paint plus underlying substrata.

Category E6 - Underground Storage Tank (UST) Testing:

Awarded contractors will be responsible for tank tightness testing; emptying of leaking UST Systems; preparing plans and reports required by 310 CMR 40.00; design of facility-specific remedial measures as appropriate; oversight of immediate response actions necessary to address leaking UST Systems. Contractors must utilize a non-volumetric testing method to conduct all initial tests of USTs. Contractors must, prior to initiation of any UST tightness tests, inform and receive approval from facilities of the type of test to be utilized. To verify results of a failed non-volumetric test, contractors may be required to conduct a volumetric test method. All volumetric testing must be conducted using methods in EPA Technology Transfer Pamphlet 625/9 - 89/009. Upon completion of testing, contractor must return all UST Systems to their previous operational condition. The contractor must notify all necessary officials prior to commencing any tightness test. The contractor must prepare a written report for the facility and the local Fire Chief under the guidelines of 527 CMR 9.00.

In the event that a UST leak is detected, contractors must provide services as necessary to assist the Facility in complying with MGL Chapter 21E and the MA Contingency Plan (MCP). These services include:

- Notifying DEP of the release by phone and in writing within the deadlines set in the MCP and DFS regulations;
- Emptying USTs of product and sludge if required by DEP, the local fire department or DFS regulations;
- Providing Temporary Fuel Storage Tanks;
- Preparing Immediate Response Action (IRA) Plans, IRA status reports, Release Abatement Measure plans and status reports, any applicable completion reports, Phase I, II, III, IV and V reports and Response Action Outcomes, Bills of Lading and other MCP related forms;
- Collecting and Analyzing Soil and water samples;

- Removing and disposing of contaminated soil if required for initial risk reduction by DEP (maximum volume is approximately 100 cubic yards);
- Preparing IRA Status and Completion Reports;
- Preparing Response Action Outcome (RAO) Statements;
- Preparing other plans and reports required by the MCP if requested by a facility.

The schedule and budget for all work to be conducted must be mutually agreed upon by the facility and Contractor prior to commencement of work. The contractor must provide a written not-to-exceed cost estimate for each project. Please note: Awarded contractors are not allowed to perform tank removal and other “construction” services.

Category E7 - Licensed Site Professional (LSP) Services:

Awarded contractors must be a licensed site professional capable of developing and overseeing Immediate Response Action (IRA) plans. Contractors will perform various services required by state facilities.

Category E8 - Environmental Multi-media Auditing Services:

Under Executive Order 350 and Executive Order 438, respectively known as the Clean State Initiative, agencies are required to maintain environmental compliance at all state facilities. Compliance maintenance may require agencies to secure the services of environmental consulting firms to perform comprehensive multi-media environmental audits of said facilities. Multi-media audits allow agencies to assess the facilities’ on-going compliance with state and federal environmental laws and regulations and reaffirm sound environmental practices at state facilities.

Contractors will collect, analyze, and interpret appropriate information about each assigned facility and its operations (also known as the Facility Profile), identify all instances of regulatory noncompliance and conduct a post audit meeting with agency personnel to discuss preliminary audit findings. The consultant will subsequently develop corrective action plans for each violation, develop estimated costs for corrective action for each violation, and work with agency personnel to develop a return to compliance implementation schedule.

Regulatory issues to be addressed include, but are not limited to: air emission control and permitting; air mobile sources; asbestos and lead paint management; wetlands protection; wastewater treatment and disposal; drinking water quality and drinking water supplies; groundwater, and sewage and septic discharges; Massachusetts Right to Know law; emergency preparedness and contingency planning; PCB management; hazardous, solid, medical and special waste management; contaminated site cleanup; above and below ground storage tank management; water pollution and storm water runoff.

Audit Criteria: The contractor will identify all confirmed or potential noncompliance matters of state and federal environmental laws and regulations. The contractor will also identify all confirmed or potential violations of any permits or enforcement documents that

have been issued to the facility under those laws and regulations. The contractor will audit all areas of a facility where there are known or suspected structures, equipment, materials, wastes, discharges, or contamination.

For the purposes of this RFR, “confirmed noncompliance” means any situation where circumstances observed by the auditor demonstrate clear, unambiguous, on-going noncompliance with law, regulation, or permit. “Potential noncompliance” means any situation where circumstances observed by the auditor demonstrate a substantial possibility of on-going noncompliance with law, regulation, or permit.

Category E9 - Stage II Compliance Certification:

Contractors must perform all equipment inspections and all required tests in accordance with terms and conditions of the applicable California Air Resources Board (CARB) Executive Orders.

Contractors must be able to perform the following tests at minimum:

- a) Pressure Decay Test
- b) Vapor Tie Test
- c) P/V Relieve Vent Test
- d) Dynamic Back Pressure/Liquid Blockage Test
- e) Air/Liquid Volume Test
- f) Healy Fillneck Pressure Test
- g) Healy Vapor Return Line Test.

Contractors must submit completed applicable Stage II form(s) to the Responsible Official with 5 business day from the date of test, if the system fails, verbal notification of the failure must be given within 24 hours.

Optional – Contractors may offer service contracts at a rate to be negotiated by the Responsible Official. Contracts should reference service rates and percent off list price for equipment. All service must be conducted in accordance with applicable Stage II regulations (310 CMR 7.24 (6)) and any applicable CARB executive orders.

Helpful publication are posted on the following website:
<http://www.state.ma.us/dep/bwp/daqc/daqcpubs.htm>

Category E10 - Lab Services:

Lab tests include the following categories: Hazardous Waste Analyses; Volatile and Semivolatile Organics; Metal Analyses; Wastewater Analyses; Drinking Water Analyses; General Chemical Analyses; Indoor Air Quality sampling; and Beach and Pool sampling.

Strategic Sourcing Services Team Members

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Summary of Where to Obtain Important Contract Information

To obtain in depth contract information please go to the [Comm-PASS website](#), click on "Contracts" then search by document number FAC77 to locate the following contract information under the "Forms & Terms" tab:

- **Contract User Guide** – the latest version of this document
- **Request for Response (RFR) FAC60** – the original solicitation document containing complete service specifications for this contract.
- **Purchase Order Form for Cities and Towns** – a form designed to help Eligible Entities document their service relationships with contractors.

Appendix A - Vendor List and Contract Information

The available contractors are listed below. Please refer to the "Vendor" tab of Comm-PASS (www.comm-pass.com) for contract information updates and additional contractors.

Vendor Name	Vendor Contact	Vendor Comments	Address1	City	State	Zip	Cont Email	Cont Phone
ATC Group Services Inc. DBA ATC Associates Inc.	Kevin Drinan	Categories E1-10	600 West Cummings Park, Suite 5500	Woburn	MA	01801	kevin.drinan@atcasociates.com	781-932-9400
Con-Test Analytical Laboratory (Filli LLC DBA)	Susan Burney	Lab Services (E10) Only	39 Spruce St.	East Longmeadow	MA	01028	SBurney@ContestLabs.com	413-525-2332x18
Environmental Compliance Services, Inc.	William Alpine	Categories E1-10	588 Silver Street	Agawam	MA	01001	balpine@ecsconsult.com	800-789-3530
EnviroBusiness Inc	Philip Peterson	Categories E1-10	21 B Street	Burlington	MA	01803	ppeterson@ebiconsulting.com	781-273-2500